

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET														
CR No: CR 19-1631-006				USA vs.: Patel										
Date: 2/8/24				Name of Deft: Pragneshkumar Patel										
Before the Honorable: David Herrera Urias														
Time In/Out:		2:14 PM-3:39 PM 3:58 PM-4:58 PM				Total Time in Court (for JS10):				2 hours and 25 minutes				
Clerk:		J. Gonzales				Court Reporter:				C. McAlister				
AUSA:		Letitia Simms, Jack Burkhead				Defendant's Counsel:				Robert Gorence, Jason Bowles				
Sentencing in:		ABQ				Interpreter:								
Probation Officer:		Robert Sanchez				Interpreter Sworn?				<input type="checkbox"/> Yes		<input type="checkbox"/> No		
Convicted on:		<input checked="" type="checkbox"/> Plea			Verdict	As to:				Information	<input checked="" type="checkbox"/> Indictment-Count 8			
If Plea:		<input type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		Adjudged/Found Guilty on Counts:								
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted			<input type="checkbox"/> Not Accepted	<input type="checkbox"/> No Plea Agreement		Comments:						
Date of Plea/Verdict:		7/13/23		PSR:		<input type="checkbox"/> Not Disputed		<input checked="" type="checkbox"/> Disputed	<input checked="" type="checkbox"/> Courts adopts PSR Findings					
Evidentiary Hrg:		<input type="checkbox"/> Not Needed		<input type="checkbox"/> Needed		<input checked="" type="checkbox"/> Exceptions to PSR:								
SENTENCE IMPOSED				Imprisonment (BOP):		30 months								
Supervised Release:		3 years						Probation:						
REC	500-Hour Drug Program		BOP Sex Offender Program		Other:									
ICE	Court recommends ICE begin removal proceedings immediately or during service of sentence									ICE not applicable				
SPECIAL CONDITIONS OF SUPERVISION														
No re-entry without legal authorization						Home confinement for months days								
Comply with ICE laws and regulation						Community service for months days								
Participate in/successfully complete subst abuse program/testing						Reside halfway house months days								
<input checked="" type="checkbox"/>	Participate in mental health treatment program						Register as sex offender							
Refrain from use/possession of alcohol/intoxicants						Participate in sex offender treatment program								
<input checked="" type="checkbox"/>	Submit to search of person/property						Possess no sexual material							
No contact with victim(s) and/or co-defendant(s)						No computer with access to online services								
No entering or loitering near victim's residence						No contact with children under 18 years								
Provide financial information						No volunteering where children supervised								
Grant limited waiver of confidentiality						Restricted from occupation with access to children								
Refrain from use and possession of synthetic cannabinoids, etc.						No loitering within 100 feet of school yards								
No possession of a firearm, ammunition, destructive device or any other dangerous weapon						Participate in an educational or vocational program approved by the Probation Officer								
<p>You shall waive your right of confidentiality-mental health</p> <p>You must not communicate, or otherwise interact, with codefendant(s)/coconspirator(s).</p> <p>You must not communicate, or otherwise interact, with the victim(s), either directly or through someone else.</p> <p>You must not open new lines of credit, which includes the leasing of any vehicle or other property or use existing credit resources without the prior approval of the supervising probation officer.</p> <p>You must provide the probation officer access to any requested financial information and authorize the release of any financial information.</p> <p>You must fully cooperate with the Internal Revenue Service by filing all delinquent or amended returns within six months of the start of supervision and to timely file all future returns that come due during the period of supervision.</p> <p>You must not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$1,000 without the approval of the supervising probation officer until all financial obligations imposed by this court have been satisfied.</p> <p>You must cooperate with the U.S. Probation Office in the investigation and approval of any position of self-employment, including any independent, entrepreneurial, or freelance employment or business activity.</p>														
Fine: \$		40,000.00				Restitution: \$		9,000.00						
SPA: \$		100.00				Payment Schedule:		<input checked="" type="checkbox"/> Due Immediately	<input type="checkbox"/> Waived					

Pursuant to the Mandatory Victim Restitution Act, it is further ordered that the defendant will make restitution to Jane Doe 1, Jane Doe 2, and Jane Doe 3, in the amount of \$3,000 each, for a total of \$9,000. Restitution shall be submitted to the Clerk of the Court, Attention Intake, 333 Lomas Boulevard N.W. Suite 270, Albuquerque, New Mexico 87102, to then be forwarded to the victim(s). The restitution will be paid in full immediately pursuant to a stipulation in the plea agreement.

Consistent with a stipulation in the Plea Agreement, the defendant forfeits his rights, title, and interest in the property outlined in paragraph 18a of the plea agreement, specifically, Real Property located at 7640 Central Avenue Southeast,

OTHER: Albuquerque, New Mexico, 87108, formerly known as the Best Choice Inn.

	Advised of Right to Appeal	X	Waived Appeal Rights per Plea Agreement
	Held in Custody		Voluntary Surrender
X	Recommended place(s) of incarceration: FPC Pensacola, FL.		
	Dismissed Counts:		
<p>Counsel argue positions re: objection to paragraphs 40 and 49. Court sustains objection to paragraphs 40 and 49-enhancement will not apply. Counsel argue positions re: objection to paragraph 46. Court finds weights that are attributed to defendant-BOL is now 24. Counsel argue positions re: enhancement for possession of a dangerous weapon. Court makes findings on drug amounts attributable to defendant-sustains objection to 2 level enhancement for possession of dangerous weapon and 2 level enhancement for manufacturing-sustains 4 level enhancement for being organizer/leader. USPO Sanchez represents that based on rulings defendant qualifies as Zero-point offender-offense level reduced by 2 levels establishing TOL of 19 and CH of I-guideline range 30-37 months. Mr. Gorence requests variance-voluntary surrender-FPC Pensacola, FL. Defendant addresses Court. Ms. Simms requests sentence of 30 months. Mr. Gorence requests self-surrender 2/9/24. Ms. Simms objects to self-surrender.</p> <p>OTHER COMMENTS: Court finds defendant is not a flight risk-will surrender 2/9/24.</p>			